



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2017

CORAM:

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THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P(MD)Nos.18491 to 18499 of 2017

A.Ganesan .. Petitioner in W.P(MD)No.18491 of 2017
V.Muthuroja .. Petitioner in W.P(MD)No.18492 of 2017
M.Karuppayee .. Petitioner in W.P(MD)No.18493 of 2017
K.Pitchaikali .. Petitioner in W.P(MD)No.18494 of 2017
M.Revathi .. Petitioner in W.P(MD)No.18495 of 2017
G.P.Navamani Gnana Kannu .. Petitioner in W.P(MD)No.18496 of 2017
T.Sethu .. Petitioner in W.P(MD)No.18497 of 2017
M.Krishnakumari .. Petitioner in W.P(MD)No.18498 of 2017
P.Chitravel .. Petitioner in W.P(MD)No.18499 of 2017

Vs.

1.The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai 600 009.

2.The Secretary to Government,
Government of Tamil Nadu,
Finance (Pay Cell) Department,
Fort St.George, Chennai - 600 009.

3.The Director of School Education, Chennai.

... Respondents 1 to 3 in all WPs

The Chief Educational Officer,
Ramanthapuram District.

... Respondent No 4 in W.P(MD)Nos.18491,
18495 & 18499 of 2017

The Chief Educational Officer,

<https://hmc.madrascourts.org/itservices/>

... Respondent No.4 in W.P(MD)Nos.18492,
18493, 18494, 18498 of 2017



The District Educational Officer,
Madurai

... Respondent No.4 in WP(MD)No.18496 of 2017

The Chief Educational Officer,
Sivagangai District.

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... Respondent No.4 in W.P(MD)No.18497 of 2017

The Headmaster,
Government High School,
Alanganur,
Ramanathapuram District.

... Respondent No.5 in W.P(MD)No.18491 of 2017

The Headmaster,
Government Higher Secondary School,
Saptur,
Madurai District - 625 705.

... Respondent No.5 in W.P(MD)Nos.18492 & 18493 of 2017

The Headmaster,
Government Higher Secondary School,
Sedappatti,
Madurai District.

...Respondent No.5 in W.P(MD)No.18494 of 2017

The Headmaster,
Government Higher Secondary School,
Emaneswaram, Paramakudi.
Ramanathapuram District.

... Respondent No.5 in W.P(MD)No.18495 of 2017

The Correspondent,
Pasumalai Higher Secondary School,
Pasumalai, Madurai - 4.

...Respondent No.5 in W.P(MD)No.18496 of 2017

The Headmaster,
Government Higher Secondary School,
Kattikulam,
Sivagangai District.

...Respondent No.5 in W.P(MD)No.18497 of 2017

The Headmistress,
Government Girls Higher Secondary School,
Y.Othakkadai,
Madurai - 625 107 @ Ulaganeri.



The Headmaster,
The Government Higher Secondary School,
Peraiyur - 623 708,
Kamuthi Taluk,
Ramanathapuram District.

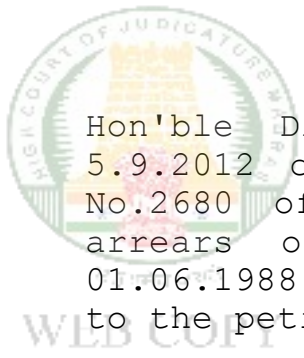
...Respondent No.5 in W.P(MD)No.18499 of 2017

PRAYER in W.P(MD)No.18491 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of mandamus, directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of Secondary Grade Teacher in terms of G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.03.1993 and G.O.Ms.No.69 School Education(M1) Department dated 18.04.2013 in the light of the orders of the Division Bench in W.A.Nos.1943 of 2012 etc, dated 05.09.2012 confirmed by the Hon'ble Supreme Court in SLP(C) CC No.2680 of 2013, dated 28.01.2013 and accordingly disburse the arrears of revised pay on Special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.

PRAYER in W.P(MD)No.18492 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the respondents herein to fix the pay scale of the petitioners husband viz. V.Radhakrishnan died on 05.09.1994 on the conferment of selection and special grade in the post of Secondary Grade Teacher in terms of G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.03.1993 and consequently direct the respondents herein to pay at the revised rate and disburse the entire arrears accrued thereon with effect from 01.06.1988 to the petitioner.

PRAYER in W.P(MD)No.18493 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of mandamus directing the respondents herein to fix the pay scale of the petitioners husband viz. D. Solomon died on 24.04.2012 on the conferment of Selection and Special Grade in the post of Agricultural Instructor in terms of G.O.Ms No.216 Finance (Pay Cell) Department dated 22.03.1993 and consequently direct the respondents herein to pay at the revised rate and disburse the entire arrears accrued thereon with effect from 1.6.1988 to the petitioner.

PRAYER in W.P(MD)No.18494 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of ~~Secondary Grade Teacher~~ in terms of G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.03.1993 and G.O.Ms.No.69 School Education (M1) Department dated 18.04.2013 in the light of the orders of the

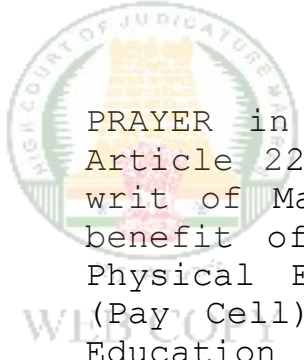


Hon'ble Division Bench in W.A.Nos.1943 of 2012 etc., dated 5.9.2012 confirmed by the Hon'ble Supreme Court in SLP (C) CC No.2680 of 2013 dated 28.1.2013 and accordingly disburse the arrears of revised pay on special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.

PRAYER in W.P(MD)No.18495 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of Secondary Grade Teacher in Terms of G.O. Ms. No. 216 Finance (Pay Cell) Department dated 22.3.1993 and G.O.Ms.No. 69 School Education (M1) Department dated 18.04.2013 in the light of the orders of the Hon'ble Division Bench in W.A.Nos. 1943 of 2012 etc., dated 5.9.2012 confirmed by the Hon'ble Supreme Court in SLP (C) CC No. 2680 of 2013 dated 28.1.2013 and accordingly disburse the arrears of revised pay on Special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.

PRAYER in W.P(MD)No.18496 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of Physical Educational Teacher in terms of G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.03.1993 and G.O.Ms.No.69 School Education (M1) Department dated 18.04.2013 in the light of the orders of the Hon'ble Division Bench in W.A.Nos.1943 of 2012 etc., dated 05.09.2012 confirmed by the Hon'ble Supreme Court in SLP (C) CC No.2680 of 2013 dated 28.01.2013 and accordingly disburse the arrears of revised pay on Special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.

PRAYER in W.P(MD)No.18497 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of Secondary Grade Teacher in terms of G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.03.1993 and G.O.Ms.No.69 School Education (M1) Department dated 18.04.2013 in the light of the orders of the Hon'ble Division Bench in W.A.Nos.1943 of 2012 etc., dated 05.09.2012 confirmed by the Hon'ble Supreme Court in SLP (C) CC No.2680 of 2013 dated 28.01.2013 and accordingly disburse the arrears of revised pay on Special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.



PRAYER in W.P(MD)No.18498 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of Physical Educational Teacher in terms of G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.03.1993 and G.O.Ms.No.69 School Education (M1) Department dated 18.04.2013 in the light of the orders of the Hon'ble Division Bench in W.A.Nos.1943 of 2012 etc., dated 5.9.2012 confirmed by the Hon'ble Supreme Court in SLP (C) CC No.2680 of 2013 dated 28.1.2013 and accordingly disburse the arrears of revised pay on Special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.

PRAYER in W.P(MD)No.18499 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus directing the respondents herein to extend the benefit of revised pay scale to the petitioner in the post of Secondary Grade Teacher in Terms of G.O. Ms. No. 216 Finance (Pay Cell) Department dated 22.3.1993 and G.O.Ms.No. 69 School Education (M1) Department dated 18.04.2013 in the light of the orders of the Hon'ble Division Bench in W.A.Nos. 1943 of 2012 etc., dated 5.9.2012 confirmed by the Hon'ble Supreme Court in SLP (C) CC No. 2680 of 2013 dated 28.1.2013 and accordingly disburse the arrears of revised pay on Special Grade with effect from 01.06.1988 and revised pensionary benefits and pay arrears accrued to the petitioner's service.

For Petitioner	: Mr.K.Appadurai (in all WP's)
For Respondents	: Mr.A.K.Baskarapandian, Special Government Pleader (in all Wps)

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to extend the benefit of revised pay scale to the petitioners in the post of Secondary Grade Teachers in terms of G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.03.1993 and G.O.Ms.No.69 School Education(M1) Department dated 18.04.2013 in the light of the orders of the Division Bench in W.A.Nos.1943 of 2012 etc, dated 05.09.2012 confirmed by the Hon'ble Supreme Court in SLP(C) CC No.2680 of 2013, dated 28.01.2013.

2.The Full Bench of this Court at the Principal Seat by order dated 09.12.2016 reported in Government of Tamil Nadu Vs. G. Eswaran (2017) 2 MLJ (FB), while deciding a batch of cases in which similar relief has been sought, has held in clause (iv) of para 38 that no fresh writ petitions shall be entertained on and thereafter on 04.10.2017, which is an abuse of legal process and cannot be countenanced.



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3.Resultantly, these writ petitions cannot be entertained and dismissed at the admission stage. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai 600 009.

2.The Secretary to Government,
Government of Tamil Nadu,
Finance (Pay Cell) Department,
Fort St.George, Chennai - 600 009.

3.The Director of School Education,
Chennai.

4.The Chief Educational Officer,
Ramanthapuram District.

5.The Chief Educational Officer,
Madurai District.

6.The Chief Educational Officer,
Sivagangai District.

+One cc to Mr.K.Appadurai, Advocate, SR.No.81834

+One cc to The Specia Government Pleader, SR.No.81940

dsk

RL/9C/6P/KP/SAR1/13/11/2017

ORDER MADE IN
W.P(MD)Nos.18491 to
18499 of 2017